

CLAIM OF DELOS K. LONEWOLF.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A COPY OF A REPORT BY THE COMMISSIONER OF INDIAN
AFFAIRS RELATING TO THE CLAIM OF DELOS K. LONEWOLF.

FEBRUARY 2, 1903.—Referred to the Committee on Claims and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, February 2, 1903.

SIR: I have the honor to inclose herewith a copy of a report from the Commissioner of Indian Affairs, dated the 29th ultimo, calling attention to the claim of Delos K. Lonewolf, a Kiowa Indian, for the value of certain improvements owned by him and situated upon the lands formerly occupied by him and now included within the limits of the lands reserved for the Kiowa Agency.

This claim is for \$150, and was forwarded to Congress May 15, 1902. (See House Doc. No. 607, Fifty-seventh Congress, first session.) As stated in said letter, it is a just claim, and in compliance with the recommendation of the Commissioner I respectfully ask that favorable action be taken at this session.

Very respectfully,

E. A. HITCHCOCK,
Secretary.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 29, 1903.

SIR: Under date of May 15, 1902, you transmitted to the Speaker of the House of Representatives a copy of a report from this office, dated May 13, 1902, upon the claim of Delos K. Lonewolf, a Kiowa Indian, for the value of certain improvements owned by him and situated upon the lands formerly occupied by him but now included within the limits of the lands reserved for the Kiowa Agency, Okla.,

together with copies of correspondence relative thereto. (See House Doc. No. 607, Fifty-seventh Congress, first session.)

This office is now in receipt of a communication from Agent Randlett, dated January 21, 1903, in which he incloses a copy of said House document and states that Lonewolf's claim is a just one; that the \$150 that he paid out for the improvements was from his own savings, and that when he gave up the place for the use of the present agency he did so with the assurance that every effort would be made to have him reimbursed in the amount he paid out. He urges that, if consistent with the rules in like cases, the attention of Congress be called to this matter during the present session.

This Indian is clearly entitled to reimbursement for the amount expended by him for improving this tract of land, which he gave up for the use of the Government.

It is recommended that the inclosed copy of Agent Randlett's letter be forwarded to the House of Representatives, with request for favorable action at this session, if possible.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE, KIOWA AGENCY,
Anadarko, Okla., January 21, 1903.

SIR: I have the honor to inclose herewith copy of House Document No. 707, Fifty-seventh Congress, first session, and to beg your consideration of this case.

Delos K. Lonewolf is living on his allotment and, so far as I can learn, is doing well. His claim is a just one. The \$150 that he paid out for the improvements was from his own savings, and when he gave up the place for use of the present agency he did so with assurance that every effort would be made to have him reimbursed in the amount he paid out.

If consistent with your rules in like cases, I most respectfully urge that the attention of Congress be called to this matter during the present session.

Very respectfully,

JAMES F. RANDLETT,
Lieutenant-Colonel, U. S. Army, United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

[House Document No. 607, Fifty-seventh Congress, first session.]

DEPARTMENT OF THE INTERIOR,
Washington, May 15, 1902.

SIR: I have the honor to transmit herewith a copy of a report of the 13th instant, from the Commissioner of Indian Affairs, upon the claim of Delos K. Lonewolf, a Kiowa Indian, for the value of certain improvements owned by him and situated upon the lands formerly occupied by him, but not included within the limits of the lands reserved for the Kiowa Agency, Okla., together with copies of correspondence relating thereto.

The claim presented by Lonewolf amounts to \$300, but as it is shown that he purchased the improvements in 1897 for \$150, and has made no additions thereto since that time, the agent in charge of the Kiowa Agency recommends that he be reimbursed for the amount paid, to which it is evident he is justly entitled.

The Commissioner concurs in the recommendation of the agent, and I have the honor to recommend that the draft of a bill to reimburse Lonewolf receive favorable action by the Congress.

Very respectfully,

E. A. HITCHCOCK,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 13, 1902.

SIR: I have the honor to transmit herewith a copy of a communication, dated March 4, 1902, and inclosures, from Lieut. Col. James F. Randlett, United States Indian agent at the Kiowa Agency, Okla., submitting the claim of Delos K. Lonewolf, a Kiowa Indian, for the value of certain improvements owned by him and situated upon lands formerly occupied by him, but not included within the limits of the lands reserved for the Kiowa Agency.

Lonewolf, in his statement, dated January 24, 1902, addressed to Agent Randlett, sets forth that at the time the allotments were made to the Kiowas, Comanches, and Apaches he was asked whether he would be willing to relinquish his improvements and be allotted other land provided he was paid for said improvements. This he consented to do. He claims that the improvements consist of—

One 4-room house (frame, and plastered)	\$150.00
One 4-room house (frame, unceiled)	75.00
1 stable and corncrib (log and frame)	20.00
1 well, 55 feet deep, walled with brick	55.00
Total	300.00

Agent Randlett states that Lonewolf's version of the matter is substantially correct, but that his claim for \$300 is an increase of \$150 over what he paid for the improvements.

The papers show that certain described lands in what is now known as the Kiowa Agency Reserve were, by order of Capt. F. D. Baldwin, acting agent at the Kiowa Agency, dated July 30, 1897, set apart and declared to be allotments of Delos K. Lonewolf, his wife and child, containing in all 506.50 acres; that on June 10, 1897, H. P. Pruner and Lucy J. Pruner executed a bill of sale, transferring to Delos K. Lonewolf and Ida W. Lonewolf the "Captain Beaver (a Delaware Indian) place, located in the town of Anadarko, Apache, Kiowa, and Comanche Reservation, Okla.," and relinquishing all right to the improvements thereon for the sum of \$150.

Agent Randlett states that he is advised by Mr. Pruner that nothing has been added to the improvements since he sold them to Lonewolf. As the latter has had all the benefit derived from the lands through the employment of whites to cultivate it, he (the agent) states that he can only recommend that Lonewolf be paid the \$150 he gave to Pruner, to which amount it is evident he is justly entitled.

The improvements in question are now used and occupied by the agency farmer.

In view of the agent's statements, it is recommended that the inclosed draft of a bill to pay Lonewolf \$150 for his improvements be submitted to Congress for favorable consideration.

Very respectfully, your obedient servant,

A. C. TONNER, *Acting Commissioner.*

THE SECRETARY OF THE INTERIOR.

A BILL For the relief of Delos K. Lonewolf, a Kiowa Indian.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and fifty dollars is hereby appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, to reimburse Delos K. Lonewolf, a Kiowa Indian, for the value of the improvements owned by him and surrendered to the United States on the Kiowa, Comanche, and Apache Indian Reservation, in Oklahoma, and the acceptance of said sum by said Lonewolf shall be a complete and absolute bar to any and all claims against the United States for said improvements.

FORT COBB, OKLA., January 24, 1902.

SIR: When Nesler first came to make allotments, you and Nesler called me to your office and asked me whether I would be willing to let my improvements go and take my allotments somewhere else, if you and Nesler would help me to get good pay for same. Whereupon I said that I would be willing to leave my place and select my allotments elsewhere if you gentlemen will help me to get good pay out of the place.

You and Nesler said that you would see that I got pay for my place. Now, I want

pay for my improvements; please do what you promised. I intended to have that place for my allotments. Inclosed find paper which shows that I selected the land in question for my allotments in 1897.

I came from school in the spring of 1897 and, having no home, I bought this place; paid \$150. Find paper showing that I did pay this amount for this place.

There was about 120 acres of land in cultivation when I bought the place, but was taken and used for agency farm by Frank D. Baldwin, then agent, and in place of it two fields belonging to Kiowa school were given to me, the school having been condemned, and so this is the way I came to have that place, and would be holding still had it not been for your advice or request to quit it.

Yours,

D. K. LONEWOLF.

Lieut. Col. JAMES F. RANDLETT,
United States Indian Agent, Anadarko, Okla.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
Kiowa Agency, Anadarko, Okla., March 4, 1902.

SIR: I have the honor to forward herewith inclosed a claim of Delos K. Lonewolf, a Kiowa Indian, for improvements owned by him and located upon the present reservation lands of this agency.

The statement made by the claimant, herewith inclosed, is substantially correct. See attached thereto copy of edict of Capt. Frank B. Baldwin, U. S. Army, acting Indian agent; also copy of bill of sale from P. J. Pruner, who sold Lonewolf the house for which reimbursement is claimed. The house was built by Black Beaver, an old chief of the Delawares, who was the original occupant of the farm upon which the house and improvements are located.

At Black Beaver's death it fell to his daughter, the wife of P. J. Pruner. Pruner occupied the place, he being an employee of the agency, until developments disclosed that he could not hold it permanently, his wife being a member of the Indian tribes entitled to homes on the Wichita Reservation. The house and improvements are used as benefit to the agency as the home of the family, the head of which runs the agency farm land which Delos Lonewolf originally selected for allotment to be made to him when the time should arrive for allotment of lands of the reservation in severalty to the Indians of the tribe of which he is a member.

The claim submitted is an increase of \$150 over what was paid by Lonewolf to Pruner for the improvements, and as Mr. Pruner states that nothing has been added to the improvements since he sold them to claimant, and as Lonewolf personally has had all the benefit derived from the lands through employment of whites to cultivate it, I can only recommend that he be paid the \$150 he gave Pruner, to which amount it is evident he is justly entitled.

I hope the Department will find it consistent to have him so reimbursed.

Very respectfully,

JAMES F. RANDLETT,
Lieutenant-Colonel, U. S. Army, Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

ANADARKO, OKLA., *February 14, 1902.*

The United States to Delos K. Lonewolf, Dr.

January 14, 1901:

One 4-room house (frame and plastered)	\$150. 00
One 4-room house (frame, unceiled)	75. 00
One stable and corn crib (log and frame)	20. 00
One well 55 feet deep, walled with brick	55. 00
Total	300. 00

I certify on honor that the above improvements, located on the Kiowa Agency Reserve, Anadarko, Okla., are my property; that the above account is correct and just, and that I have received no part of same.

DELOS K. LONEWOLF.

Know all men by these presents that we, H. P. Pruner and Lucy J. Pruner, do hereby transfer and convey to Delos K. Lonewolf and Ida W. Lonewolf, his wife, the Captain Beaver (a Delaware Indian place), located in the town of Anadarko, Apache, Kiowa, and Comanche Reservation, Okla., and we relinquish all right and title to said improvements to the said Delos K. Lonewolf and Ida W. Lonewolf in consideration of the sum of \$150 to us in hand paid.

In witness whereof we have set our hands this 10th day of June, A. D. 1897.

H. P. PRUNER.

LUCY J. (her x mark) PRUNER.

Witnesses:

D. ARNOLD.

MARGARET OSBORNE.

Recorded in Agency Land Book, page 13.

FRANK D. BALDWIN,
U. S. Army, Acting Agent.

ANADARKO, OKLA., June 10, 1897.

KIOWA AGENCY,
Anadarko, Okla., March 4, 1902.

A true copy.

JAMES F. RANDLETT,
Lieutenant-Colonel, U. S. Army, United States Indian Agent.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
Kiowa Agency, Anadarko, Okla., July 30, 1897.

To whom it may concern:

The following-described lands on the Kiowa, Comanche, and Apache Indian Reservation, Okla., are hereby set apart and declared to be the allotments of Delos K. Lonewolf, his wife and child, Kiowa Indians of said reservation:

All that part of section 16, township 7 north, range 10 west of the Indian meridian that lies east and south of the Washita River, on said Kiowa, Comanche, and Apache Reservation, containing 348.55 acres, more or less. Also the west half of the southwest quarter of section 15, same township and range, and that part of the west half of the northwest quarter of said section 15 which lies south and west of the Washita River, on said reservation, containing 138.25 acres, more or less; also that part of the west half of the southeast quarter of the northwest quarter of said section 15, T. 7 N., R. 10 W., that lies south of the said Washita River, on said reservation, containing in the neighborhood of 19.70 acres, more or less, making a total of 506.50 acres, more or less.

Respectfully,

A true copy.

FRANK D. BALDWIN,
Captain, Fifth Infantry, Acting Agent.

JAMES F. RANDLETT,
Lieutenant-Colonel, U. S. Army, Indian Agent.

